

PROCLAMATION

BY THE

Governor of the State of Texas

41-1995

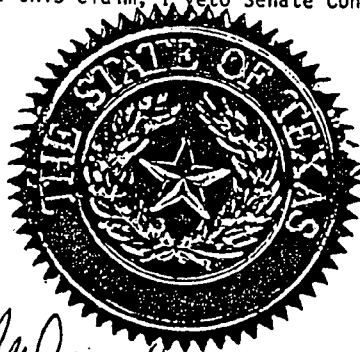
TO ALL TO WHOM THESE PRESENTS SHALL COME:

June 16, 1985

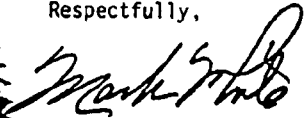
Pursuant to Article IV, Section 14 of the Constitution of Texas, I hereby veto Senate Concurrent Resolution 143 because of the following objection:


D. Dave Bentrup and Verla A. Bentrup filed and prosecuted a suit against the Texas Alcoholic Beverage Commission which involved allegations identical to those made the subject of this resolution. The cause was tried to a federal court jury in Galveston County, Texas. The jury ruled against them. Thereafter, the Court awarded the Bentrups nominal damages. That cause was not appealed and has been finally concluded. In addition, the State has paid \$12,000 in attorney fees in that case.

The allegations giving rise to this resolution to sue are the same as were presented to the federal court. To permit the enactment of this resolution to sue would only serve to waste the state's resources in continuing to defend this lawsuit, and would only further congest the already-crowded state court dockets and require the Attorney General of Texas to continue to defend a second lawsuit based upon the same facts. Because of the waste to the taxpayers and the fact that the Bentrups have already had an opportunity to litigate this claim, I veto Senate Concurrent Resolution 143.



Respectfully,


Mark White
Governor of Texas


Myra A. McDaniel
Secretary of State

Filed in the office of
Secretary of State

JUN 16 1985